

CAUSE NO. 2016-87708

HASELL CONSTRUCTION CO., INC., et al,	§	IN THE DISTRICT COURT OF
Plaintiffs	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
ROYCE HASELL, et al,	§	
Defendants	§	61st JUDICIAL DISTRICT COURT

NOTICE OF APPEAL

Defendant Royce Hassell desires to appeal the failure of the trial court to rule on the motion to dismiss brought by Defendant, Royce Hassell, under Chapter 27 of the Texas Civil Practice & Remedies Code to dismiss the counter-claims of Michael Hassell, Phillip Hassell, and Shawn Hassell Potts and the original claims of Jason Hassell in Cause Number 2016-87708, *Hassell Construction Company, Inc. v. Royce Hassell, et al*; in the 61st Judicial District Court of Harris County, Texas.

This is an accelerated appeal under TEX. PRAC. & REM. CODE § 27.008(b). TEX. R. CIV. P. 28.1 ("appeals required by statute to be accelerated or expedited").

The accelerated appeal will be to the First or Fourteenth Court of Appeals at Houston, Texas.

I certify that no related appeal or original proceeding has been previously filed in either the First or Fourteenth Court of Appeals.

Respectfully submitted,

/s/ Silvia T. Hassell
SILVIA T. HASELL
Texas Bar No. 09205200
12807 Haynes Rd., Bldg. C
Houston, Texas 77066
Tel. 713-665-2442
Fax. 713-665-0369

E-Mail: sehassell@aol.com
Attorney for Royce Hassell

CERTIFICATE OF SERVICE

I hereby certify that on 3rd day of August, 2018, a true and correct copy of the foregoing instrument was served on all known counsel of record in accordance with the Texas Rules of Civil Procedure by Texas E-file and serve.

/s/ Silvia T. Hassell
SILVIA T. HASSELL

CAUSE NO. 2016-87708

HASSELL CONSTRUCTION CO., INC.,	§	IN THE DISTRICT COURT
	§	
Plaintiffs	§	
	§	
v.	§	OF HARRIS COUNTY, TEXAS
	§	
ROYCE HASSELL AND SILVIA HASSELL,	§	
Defendants	§	61st JUDICIAL DISTRICT

**SUGGESTION OF BANKRUPTCY,
NOTICE OF AUTOMATIC STAY
AND NOTICE PURSUANT TO T.R.A.P. 8**

R. Hassell & Company, Inc. (“RHC”) and R. Hassell Builders, Inc (“RHB”), Plaintiffs/Garnishors in the related case, Cause Number 2013-61995-A, *R Hassell & Co., Inc., et al v. CommunityBank of Texas, N.A.*, which case has been placed on bankruptcy hold, file this Suggestion of Bankruptcy and Notice of Automatic Stay pertaining to the filing by R. Hassell & Co., Inc. and R. Hassell Builders, Inc. of a bankruptcy petition as follows:

On August 3, 2018, in this case Royce Hassell filed a Notice of Appeal of the failure of the trial court to rule on the motion to dismiss brought by Royce Hassell under Chapter 27 of the Texas Civil Practice & Remedies Code to dismiss the counter-claims of Michael Hassell, Phillip Hassell and Shawn Hassell Potts and the original claims of Jason Hassell in this case. The claims of Michael Hassell, Phillip Hassell, Jason Hassell and Shawn Hassell Potts include claims pertaining to the garnishment action pending in Cause Number 2013-61995-A, wherein the Plaintiff in this case, Hassell Construction Company, Inc. as controlled by Michael Hassell, Phillip Hassell, Shawn Hassell Potts and Jason Hassell, has also asserted the same or similar claims which are also subject to a Chapter 27, Texas Civil Practice & Remedies Code Motion to Dismiss.

Rule 8.1 of the Texas Rules of Appellate procedure provides that “[a]ny party may file a notice that a party is in bankruptcy” which notice is to contain, “(a) the bankrupt party’s name; (b) the court in which the bankruptcy proceeding is pending; (c) the bankruptcy proceeding’s style and case number, and (d) the date when the bankruptcy was filed.”

RHC and RHB notify the Court that according to Public Access to Court Electronic Records (PACER) a chapter 11 bankruptcy proceeding was filed by R. Hassell & Company, Inc. on July 2, 2018, in the United States Bankruptcy Court for the Southern District of Texas – Houston, Division. A copy of the Petition (from PACER) is attached hereto as Exhibit A. Also, According to Public Access to Court Electronic Records (PACER) a chapter 11 bankruptcy proceeding was filed by R. Hassell Builders, Inc. on July 2, 2018, in the United States Bankruptcy Court for the Southern District of Texas – Houston Division. A copy of the Involuntary Petition (from PACER) is attached hereto as Exhibit B.

Pursuant to the United States Bankruptcy Code, the commencement of the above-described bankruptcy case triggered an automatic stay which precludes further prosecution of claims pertaining to the bankruptcy estate of R. Hassell & Co., Inc. and R. Hassell Builders, Inc. *See* 11 U.S.C. Section 362(a). The current lawsuit may involve claims and causes of action that are precluded by the automatic stay imposed pursuant to the Involuntary Bankruptcy Case.

For the above reasons, Respondents pray the Court take notice of such bankruptcy filing and acknowledge the prohibitions of the automatic stay until further appropriate court orders.

Respectfully submitted this 7th day of August, 2018.

Respectfully submitted,

PENDERGRAFT & SIMON, LLP

/s/ Leonard H. Simon

By: Leonard H. Simon, Esq.

TBN: 18387400; SDOT: 8200

lsimon@pendergraftsimon.com

Robert L. Pendergraft

TBN: 15743500; SDOT: 730

rlp@pendergraftsimon.com

America Tower

2929 Allen Parkway, Suite 200

Houston, Texas 77019

(713) 737-8207 (Direct Phone)

(832) 202-2810 (Direct Fax)

(713) 528-8555 (Main Phone)

(713) 868-1267 (Main Fax)

**ATTORNEY FOR R. HASSELL HOLDING
COMPANY, INC., R. HASSELL & COMPANY,
INC. AND R. HASSELL BUILDERS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2018, a true and correct copy of the above *Suggestion of Bankruptcy, Notice of Automatic Stay and Notice Pursuant to T.R.A.P 8* has been served on all counsel of record in accordance with the Texas Rules of Civil Procedure by Texas E-File and Serve.

/s/ Leonard H. Simon

Leonard H. Simon

Fill in this information to identify the case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF TEXASCase number (if known): _____ Chapter **11****EXHIBIT****A**☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy****04/16**

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name **R. Hassell & Co., Inc.**
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) **7 6 - 0 3 4 6 4 9 4**
4. Debtor's address
- | | |
|------------------------------------|--|
| Principal place of business | Mailing address, if different from principal place of business |
| 12807 Haynes Rd, Bldg C | |
| Number Street | Number Street |
| | P.O. Box |
| | |
| HOUSTON TX 77066-1123 | |
| City State ZIP Code | City State ZIP Code |
| Harris | Location of principal assets, if different from principal place of business |
| County | |
| | Number Street |
| | |
| | City State ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor **R. Hassell & Co., Inc.**

Case number (if known) _____

7. Describe debtor's business*A. Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. *Check all that apply:*

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☐ No

☒ Yes. District **Southern District of Texas - H** When **02/05/2015** Case number **15-30781**
MM / DD / YYYY

District **Southern District of Texas - H** When **02/05/2015** Case number **15-32751**
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor **R. Hassell & Co., Inc.**

Case number (if known) _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☐ No☒ Yes. Debtor **Hassell 2012 Joint Venture** Relationship **Debtor is Partner**District **Southern District of Texas - Houston District** When **02/08/2018**

MM / DD / YYYY

Case number, if known **18-31189**

List all cases. If more than 1, attach a separate list.

Debtor **R. Hassell Holding Company, Inc.** Relationship **Debtor is 100% Subsidiary**District **Southern District of Texas - Houston District** When **06/29/2018**

MM / DD / YYYY

Case number, if known **18-33541****11. Why is the case filed in this district?**

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention? (Check all that apply.)**☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?**

Number _____ Street _____

City _____

State _____

ZIP Code _____

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

☒ Funds will be available for distribution to unsecured creditors.☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

Debtor **R. Hassell & Co., Inc.**

Case number (if known) _____

- 14. Estimated number of creditors**
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |
- 15. Estimated assets**
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |
- 16. Estimated liabilities**
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

- 17. Declaration and signature of authorized representative of debtor**
- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☒ I have been authorized to file this petition on behalf of the debtor.
 - ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **07/02/2018**

MM / DD / YYYY

X /s/ Royce J. Hassell

Signature of authorized representative of debtor

Royce J. Hassell

Printed name

Title **President**

18. Signature of attorney

X /s/ Leonard H. Simon

Signature of attorney for debtor

Date **07/02/2018**

MM / DD / YYYY

Leonard H. Simon

Printed name

Pendergraft & Simon

Firm name

The American Tower

Number Street

2929 Allen Parkway Suite 200

Houston

City

TX

State

77019

ZIP Code

(713) 528-8555

Contact phone

lsimon@pendergrachtsimon.com

Email address

TBN-18387400 SDOT-8200

Bar number

State

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:
R. Hassell & Co., Inc.

Debtor(s)

§
§
§
§
§

Case No. _____

Chapter **11**

**DECLARATION FOR ELECTRONIC FILING OF
BANKRUPTCY PETITION AND MASTER MAILING LIST (MATRIX)**

PART I: DECLARATION OF PETITIONER:

As an individual debtor in this case, or as the individual authorized to act on behalf of the corporation, partnership, or limited liability company seeking bankruptcy relief in this case, I hereby request relief as, or on behalf of, the debtor in accordance with the chapter of title 11, United States Code, specified in the petition to be filed electronically in this case. I have read the information provided in the petition and in the lists of creditors to be filed electronically in this case and I HEREBY DECLARE UNDER PENALTY OF PERJURY that the information provided therein, as well as the social security information disclosed in this document, is true and correct. I understand that this Declaration is to be filed with the Bankruptcy Court within five (5) business days after the petition and lists of creditors have been filed electronically. I understand that a failure to file the signed original of this Declaration will result in the dismissal of my case.

☐ *[Only include for Chapter 7 individual petitioners whose debts are primarily consumer debts] --*

I am an individual whose debts are primarily consumer debts and who has chosen to file under chapter 7. I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each chapter, and choose to proceed under chapter 7.

☒ *[Only include if petitioner is a corporation, partnership or limited liability company] --*

I hereby further declare under penalty of perjury that I have been authorized to file the petition and lists of creditors on behalf of the debtor in this case.

Date: 7/2/2018

/s/ Royce J. Hassell
Royce J. Hassell
President
Complete EIN: 76-0346494

PART II: DECLARATION OF ATTORNEY:

I declare UNDER PENALTY OF PERJURY that: (1) I will give the debtor(s) a copy of all documents referenced by Part I herein which are filed with the United States Bankruptcy Court; and (2) I have informed the debtor(s), if an individual with primarily consumer debts, that he or she may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

Date: 7/2/2018

/s/ Leonard H. Simon
Leonard H. Simon, Attorney for Debtor

Leonard H. Simon, Bar No. TBN-18387400 SDOT-8200
Pendergraft & Simon
The Riviana Building
2777 Allen Parkway Suite 800
Houston, TX 77019
(713) 528-8555
Attorney for the Petitioner

UNITED STATES BANKRUPTCY COURT FOR THE

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

In re: **R. Hassell & Co., Inc.** Case No.: **76-0346494**
SSN: **76-0346494**
SSN: **76-0346494**

Debtor(s)

Numbered Listing of Creditors

Address:

12807 Haynes Rd, Bldg C
HOUSTON, TX 77066-1123

Chapter: **11**

Creditor name and mailing address	Category of claim	Amount of claim
1. AMI 710 N. Post Oak Road, Suite 208 Houston, TX 77024 N/A	Secured Claim	\$449,852.78
2. AMI 710 N. Post Oak Road, Suite 208 Houston, TX 77024 N/A	Secured Claim	\$275,420.06
3. Barry Conge Harris LLP 1800 West Loop South, Suite 750 Houston, TX 77027 N/A	Unsecured Claim	\$109,850.31
4. Buck Keenan, LLP 700 Louisiana, Suite 5100 Houston, TX 77002 xxxxxx #xx435.1	Unsecured Claim	\$21,769.52
5. Carol Davis Reporting, Records & Video, 7838 Hillmont Houston, TX 77040 xxxx #xxxx-x1995	Unsecured Claim	\$1,774.36
6. Chase Card Services P.O. Box 94014 Palatine, IL 60094-4014 xxxx-xxxx-xxxx-1199	Unsecured Claim	\$7,813.50

in re: **R. Hassell & Co., Inc.**

Debtor

Case No. (if known)

	Creditor name and mailing address	Category of claim	Amount of claim
7.	Coats Rose Judgment	Unsecured Claim	
8.	Ford 2015 F250 P.O. Box 15271 Irving, TX 75015-2271 xxxx3408	Secured Claim	\$17,780.00
9.	Ford 2017 F250 P.O. Box 15271 Irving, TX 75015-2271 xxxx3940	Secured Claim	\$53,074.95
10.	Ford 2017 F450 P.O. Box 15271 Irving, TX 75015-2271 xxxx4181	Secured Claim	\$76,727.23
11.	Ford Mustang P.O. Box 15271 Irving, TX 75015-2271 xxxx5900	Secured Claim	\$61,587.98
12.	HSSK 952 Echo Lane, Suite 200 Houston, TX 77024 xxxxxxxxxx #xx1013	Unsecured Claim	\$148,267.40
13.	Interface Consulting Int'l, Inc. One Riverway, Ste. 2350 Houston, TX 77056 xx2-RHC	Unsecured Claim	\$25,023.75
14.	Juan Gonzalez 5302 Maple Bellaire, TX 77401 N/A	Unsecured Claim	\$100,000.00
15.	Lexitas P.O. Box 4227 Houston, TX 77210-4227 xxx #xx8093	Unsecured Claim	\$12,933.05

in re: **R. Hassell & Co., Inc.**

Debtor

Case No. (if known)

	Creditor name and mailing address	Category of claim	Amount of claim
16.	Locke Lord LLP 600 Travis, Suite 2800 Houston, TX 77002 xxxx #xxxxxxx.x0003	Unsecured Claim	\$808,596.95
17.	Omnivere, LLC P.O. Box 71727 Chicago, IL 60694-1727 xxx0421	Unsecured Claim	\$4,307.03
18.	R. Hassell Builders, Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
19.	R. Hassell Holding Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
20.	R. Hassell Properties, Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
21.	Royce & Silvia Hassell (retainer for Int 5302 Maple Bellaire, TX 77401 N/A	Unsecured Claim	\$10,000.00
22.	Royce J. Hassell 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
23.	Royce J. Hassell (reimb. legal bills pd. 5302 Maple Bellaire, TX 77401 N/A	Unsecured Claim	
24.	Texas Capital (Addendum 5) 2350 Lakeside Blvd., Suite 605 Richardson, TX 75082 #xxx393-5	Secured Claim	\$271,276.84

in re: **R. Hassell & Co., Inc.**

Debtor

Case No. (if known)

	Creditor name and mailing address	Category of claim	Amount of claim
25.	Texas Capital (PC 200) 2350 Lakeside Blvd., Suite 605 Richardson, TX 75082 #xxx393-4	Secured Claim	\$80,000.00
26.	Texas Capital Bank (Addendum #3) 2350 Lakeside Boulevard, Suite 605 Richardson, TX 75082 #xxx393-3	Secured Claim	\$126,061.10
27.	Xact Data Discovery - DATX P.O. Box 6594 Carol Stream, IL 60197-6594 xxxOCKE	Unsecured Claim	\$3,660.00

(The penalty for making a false statement or concealing property is a fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. secs. 152 and 3571.)

DECLARATIONI, **R. Hassell & Co., Inc.**

named as debtor in this case, declare under penalty of perjury that I have read the foregoing *Numbered Listing of Creditors*, consisting of 4 sheets (including this declaration), and that it is true and correct to the best of my information and belief.

Debtor: /s/ Royce J. HassellDate: 6/29/2018

Royce J. Hassell
President

Fill in this information to identify the case:Debtor name **R. Hassell Builders, Inc.**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF TEXAS**Case number
(if known) _____☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claims resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1 Texan Floor 2055 Silber, Suite 108 Houston, TX 77055						\$17,700.70
2 Royce J. Hassell 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00
3 R. Hassell Properties, Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00
4 R. Hassell Holding Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00
5 R. Hassell & Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF TEXASCase number (if known): _____ Chapter **11**☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name **R. Hassell Builders, Inc.**
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) **7 6 - 0 5 0 2 5 1 4**
4. Debtor's address
- | Principal place of business | Mailing address, if different from principal place of business |
|---|---|
| 12807 HAYNES RD BLDG C
Number Street | Number Street |
| _____ | P.O. Box |
| _____ | _____ |
| HOUSTON TX 77066-1123
City State ZIP Code | City State ZIP Code |
| Harris
County | Location of principal assets, if different from principal place of business |
| _____ | Number Street |
| _____ | _____ |
| _____ | City State ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor **R. Hassell Builders, Inc.**

Case number (if known) _____

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. **Check all that apply:**

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☐ No

☒ Yes. District **Southern District of Texas - H** When **02/05/2015** Case number **15-30781**
MM / DD / YYYY

District **Southern District of Texas - H** When **02/05/2015** Case number **15-32751**
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor R. Hassell Builders, Inc.

Case number (if known) _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☒ Yes. Debtor Hassell 2012 Joint Venture Relationship Debtor is Partner

District Southern District of Texas - Houston District When 02/28/2018

MM / DD / YYYY

Case number, if known 18-31189

List all cases. If more than 1, attach a separate list.

Debtor R. Hassell Holding Company, Inc. Relationship Debtor is 100% Subsidiary

District Southern District of Texas - Houston District When 06/29/2018

MM / DD / YYYY

Case number, if known 18-33541

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property?

Number Street

City State ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

Debtor **R. Hassell Builders, Inc.**

Case number (if known) _____

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |
15. Estimated assets
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |
16. Estimated liabilities
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor
- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☒ I have been authorized to file this petition on behalf of the debtor.
 - ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07/02/2018
MM / DD / YYYY

X /s/ Royce J. Hassell

Signature of authorized representative of debtor

Royce J. Hassell

Printed name

Title President

18. Signature of attorney

X /s/ Leonard H. Simon

Signature of attorney for debtor

Date 07/02/2018

MM / DD / YYYY

Leonard H. Simon

Printed name

Pendergraft & Simon

Firm name

The American Tower

Number Street

2929 Allen Parkway Suite 200

Houston

City

TX

State

77019

ZIP Code

(713) 528-8555

Contact phone

lsimon@pendergrachtsimon.com

Email address

TBN-18387400 SDOT-8200

Bar number

State

Leonard H. Simon, Bar No. TBN-18387400 SDOT-8200
Pendergraft & Simon
The Riviana Building
2777 Allen Parkway Suite 800
Houston, TX 77019
(713) 528-8555
Attorney for the Petitioner

UNITED STATES BANKRUPTCY COURT FOR THE

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

In re: R. Hassell Builders, Inc. Case No.: 76-0502514
SSN: 76-0502514
SSN:

Debtor(s)

Numbered Listing of Creditors

Address:

12807 HAYNES RD BLDG C
HOUSTON, TX 77066-1123

Chapter: 11

	Creditor name and mailing address	Category of claim	Amount of claim
1.	R. Hassell & Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
2.	R. Hassell Holding Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
3.	R. Hassell Properties, Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
4.	Royce J. Hassell 12807 Haynes Road, Bldg. C Houston, TX 77066 N/A	Unsecured Claim	
5.	Texan Floor 2055 Silber, Suite 108 Houston, TX 77055 N/A	Unsecured Claim	\$17,700.70

in re: **R. Hassell Builders, Inc.**

Debtor

Case No. (if known)

(The penalty for making a false statement or concealing property is a fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. secs. 152 and 3571.)

DECLARATION

I, **R. Hassell Builders, Inc.**

named as debtor in this case, declare under penalty of perjury that I have read the foregoing *Numbered Listing of Creditors*, consisting of 2 sheets (including this declaration), and that it is true and correct to the best of my information and belief.

Debtor: /s/ Royce J. Hassell

Date: 6/29/2018

Royce J. Hassell
President

Unofficial Copy Office of Chris Daniel District Clerk

Fill in this information to identify the case:Debtor name **R. Hassell Builders, Inc.**United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF TEXAS**Case number
(if known) _____☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claims resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Texan Floor 2055 Silber, Suite 108 Houston, TX 77055						\$17,700.70
2	Royce J. Hassell 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00
3	R. Hassell Properties, Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00
4	R. Hassell Holding Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00
5	R. Hassell & Co., Inc. 12807 Haynes Road, Bldg. C Houston, TX 77066						\$0.00

P5

FILE COPY

SHERRY RADACK
CHIEF JUSTICE

TERRY JENNINGS
EVELYN KEYES
LAURA CARTER HIGLEY
JANE BLAND
MICHAEL MASSENGALE
HARVEY BROWN
RUSSELL LLOYD
JENNIFER CAUGHEY
JUSTICES



**Court of Appeals
First District
301 Fannin Street
Houston, Texas 77002-2066**

August 7, 2018

CHRISTOPHER A. PRINE
CLERK OF THE COURT

JANET WILLIAMS
CHIEF STAFF ATTORNEY

PHONE: 713-274-2700

www.txcourts.gov/1stcoa.aspx

FILED

Chris Daniel
District Clerk

AUG 07 2018

Time: 8:00 AM
Harris County, Texas
By Jennifer Hallmark
Deputy

Silvia T. Hassell
12807 Haynes Rd., Bldg. C
Houston, TX 77066-1123
* DELIVERED VIA E-MAIL *

Bogdan Rentea
Rentea & Associates
700 Lavaca, suite 1400
Austin, TX 78701-0000
* DELIVERED VIA E-MAIL *

**RE: Court of Appeals Number: 01-18-00709-CV
Trial Court Case Number: 2016-87708**

Style: Royce Hassell v. Hassell Construction Co., Inc. et al

GENERAL INFORMATION

On Monday, August 6, 2018, a letter of assignment from the 61st District Court trial-court clerk and a copy of the notice of appeal filed by **Royce Hassell** in the trial court was received and docketed as Cause Number **01-18-00709-CV**. This Notice contains information about some of the rules and procedures that govern prosecution of an appeal pending before the First Court of Appeals.

Texas Rule of Appellate Procedure 9.6 requires parties and counsel to communicate about a pending appeal only through the Clerk's office and they may not communicate with either the justices or their staff about a case. It is also improper to send a document to the Court about an appeal unless a copy of it is served on all other parties to the appeal at the same time. See TEX. R. APP. P. 9.5(d), (e).

Effective January 1, 2014, all attorneys in civil cases and criminal cases must electronically file all documents (except a document submitted under seal or subject to a motion to seal) through the EfileTexas.gov electronic filing system. A party representing themselves pro se (without an attorney) in a civil case, is encouraged to e-file documents, but is not required to do so. Electronically filed documents must conform to TEX. R. APP. P. 9.4 and must be completed through EfileTexas.gov, <http://www.efiletexas.gov>. Electronically filed briefs must comply with TEX. R. APP. P. 9.4 and with the Texas Supreme Court's Redaction Guidelines found at <http://www.supreme.courts.state.tx.us/ebriefs/RedactionGuidelines.pdf>.

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

INFORMATION ABOUT THE FILING FEE

Unless an appellant is exempt from paying filing fees or has established an inability to pay filing fees, the appellant must pay the required \$205 filing fee to prosecute the appeal. *See* TEX. R. APP. P. 5 (requiring payment of fees in civil cases unless excused) and 20.1 (listing requirements for establishing an inability to pay costs).

This letter is **NOTICE** to the appellant that the required filing fee must be paid **within twenty (20) days** of the date of this notice. A party who files electronically may pay by credit card through the Tex.gov process. Or, a party may pay with cash in person at the Clerk's office, 301 Fannin, Houston, Texas 77002. A filer may also pay by (1) a money order, cashier's check, or certified check issued by a U.S. financial institution or (2) a money order issued by the United States Postal Service. A money order or a check must be made payable to "Clerk, First Court of Appeals."

There is only one \$205 filing fee for each appellate case, regardless of how many appellants there may be, or if multiple notices of appeal are filed. Multiple appellants who are not indigent or exempt must determine amongst themselves how the filing fee will be paid.

INFORMATION ABOUT THE APPELLATE RECORD

This letter is **NOTICE** to the appellant that the Court may dismiss an appeal for want of prosecution, if the clerk's record is not filed and it is appellant's fault. *See* TEX. R. APP. P. 37.3(b); 42.3. This letter is also **NOTICE** to the appellant that if it is appellant's fault that the reporter's record is not filed, the Court may decide the appeal on those issues or points that do not require a reporter's record for a decision. *See* TEX. R. APP. P. 37.3(c). Any motion related to informalities in the manner of bringing this appeal must be filed within thirty (30) days after the appellate record is filed. TEX. R. APP. P. 10.5(a).

To obtain the clerk's record and reporter's record without payment of costs, a party must file a Statement of Inability to Afford Payment of Court Costs and establish an inability to pay cost in the trial court. *See* Tex. R. Civ. P. 145. Unless an appellant has established an inability to pay costs in the trial, the trial-court clerk and court reporter are not required to file the clerk's and reporter's records until appellant has paid the required fees to prepare and certify the records, or has made satisfactory arrangements to pay the fees. *See* TEX. R. APP. P. 35.3(a)(2), (b)(3).

From information currently available, it appears that the trial court signed the final judgment or other appealable order on July 23, 2018. Because the notice of appeal indicates that a post-judgment motion was not filed, unless the Court receives information to the contrary, the trial court clerk is due to file the clerk's record and the court reporter is due to file the reporter's record on or before **Monday, August 13, 2018**.

The appellant and/or appellee should inform the Court as soon as possible if (1) this appeal is accelerated or (2) if there is disagreement about (a) the date the trial court signed the final judgment or appealable order or (b) whether a post-judgment motion or request for findings of fact and conclusions of law was timely filed in the trial court.

FILE COPY

It is **mandatory** that both the clerk's record and the reporter's record be filed electronically. Both the trial-court clerk and the court reporter are asked to complete the information sheet on the "Forms" page of the Court's website, <http://www.txcourts.gov/1stcoa/practice-before-the-court/forms.aspx>, and file it with the Court within ten (10) days of the date of this Notice. The parties do not need to file a motion to extend time to file either the clerk's record or the reporter's record. *See* Texas Rules of Appellate Procedure 34.5(b)(1), (c)(2), 35.3(c), and 35.6(b)(1) and Appendix C of the Texas Rules of Appellate Procedure for electronic filing related to preparation of the appellate record.

Parties are encouraged to work together and with the trial court clerk and court reporter to properly designate all necessary items and portions of the testimony to be included in the initial records. The Court generally will not grant a motion to extend time to file a brief because a party requests to supplement the record with an item or portion of the testimony that the party did not timely designate for inclusion in the initial clerk's record or reporter's record. *See* TEX. R. APP. P. 10.5(b), 34.5(c)(1), 34.6(d), 38.6(d).

INFORMATION ABOUT FILING DOCUMENTS

Texas Rule of Appellate Procedure 9.3 controls the number of paper copies and documents filed in paper form. All documents must include a certificate of service. *See* Tex. R. App. P. 9.5(d), (e). All civil motions must include a certificate of conference, TEX. R. APP. P. 10.1(a)(5), and require a \$10 filing fee, unless the movant has established indigence or is exempt from the advance payment of filing fees, e.g., the State or a political subdivision of the State. *See* TEX. R. APP. P. 5; FEES CIV. CASES B (3); Op. Tex Att'y Gen. No. DM-459 (1997). The Court treats a civil motion requesting multiple types of relief as separate motions and requires a separate \$10 filing fee for each motion.

INFORMATION ABOUT THE DOCKETING STATEMENT

An appellant is required to file a docketing statement. *See* TEX. R. APP. P. 42.3. Until the clerk's record is filed, the docketing statement is the primary source of accurate information about a newly-filed appeal. The information is used to establish appellate deadlines and to send notices to the correct parties at the correct addresses. The "Forms" section of the Court's website includes a docketing statement or the appellant may call the Clerk's office and ask that one be mailed. In this case, the Docketing Statement should be filed **within twenty (20) days** of the date of this notice.

Section XIV must be completed if an appellant believes that his/her civil appellate matter may qualify for the Pro Bono Program sponsored and administered solely by the State Bar of Texas (SBOT) and the Houston Bar Association's Appellate Practice Section (HBA). *See* the following websites for information: (1) State Bar of Texas Pro Bono Program, First Court of Appeals, <http://www.tex-app.org/DrawOnePage.aspx?PageID=82>; (2) the Houston Bar Association's website, <http://www.hba.org/services/>; and (3) <http://www.txcourts.gov/1stCOA>, Practice Before the Court, Forms, Civil Docketing Statement.

Section XII of the docketing statement is an optional section that requests information related to potential participation in an alternate dispute resolution process or mediation. The Court strongly encourages the parties to provide this information due to the successful history of alternative dispute resolution/mediation processes, even in cases where such success initially appeared unlikely.

INFORMATION ABOUT BRIEFS

Effective January 1, 2014, all attorneys in civil cases and criminal cases must electronically file all documents (except a document submitted under seal or subject to a motion to seal) through the EfileTexas.gov electronic filing system. A party representing themselves pro se (without an attorney) in a civil case, is encouraged to e-file documents, but is not required to do so. Electronically filed documents must conform to TEX. R. APP. P. 9.4 and must be completed through EfileTexas.gov, <http://www.efiletexas.gov>. Electronically filed briefs must comply with TEX. R. APP. P. 9.4 and with the Texas Supreme Court's Redaction Guidelines found at <http://www.txcourts.gov/media/124902/redactionguidelines.pdf>.

INFORMATION ABOUT ATTORNEYS APPEARING BEFORE THE COURT

Texas Rule of Appellate Procedure 6 governs matters related to an attorney's representation of a party before the Court. Attorneys must promptly notify the Clerk's office of any change of address or change in designation of the lead counsel for a party. A nonresident attorney who is not a member of the State Bar of Texas must satisfy the requirements for participation in a Texas legal matter found on the Board of Law Examiners' website <http://www.ble.state.tx.us>.

INFORMATION ABOUT NOTICES TO PARTIES

Notice must be sent to all parties of any judgment, mandate, or order issued. *See* Tex. R. App. P. 12.6. If a party is represented by an attorney, notice will be sent to the party's lead counsel. *See* TEX. R. APP. P. 9.5(b). Information available to the public about a case may be found on the "Case Information" page of the Court's website. Parties may sign up for e-mail notices about activity in their case on the "CaseMail" page of the website.

STANDARDS OF APPELLATE CONDUCT

The Court follows the Standards of Appellate Conduct adopted by the Supreme Court of Texas and the Court of Criminal Appeals. All attorneys and parties—including pro se litigants—are expected to fully comply with these standards, as well as all applicable provisions of the Texas Rules of Appellate Procedure, the Texas Disciplinary Rules of Professional Conduct, and the Code of Judicial Conduct. *See* the "Court Rules" page, "Other Rules Governing Attorneys" of the Texas Supreme Court's website, <http://www.txcourts.gov/supreme.aspx>, or call and ask that a copy be mailed to you.

FILE COPY

Should you have questions at any time throughout the appellate process of your case, please do not hesitate to call the Clerk's office at 713-274-2700.

Sincerely,

Christopher A. Prine, Clerk of the Court

cc: Court Reporter 61st District Court (DELIVERED VIA E-MAIL)
The Honorable Harris County District Clerk's Office - Civil (DELIVERED VIA E-MAIL)
Hon. Presiding Judge, Eleventh Administrative Judicial Region (DELIVERED VIA E-MAIL)
Judge 61st District Court (DELIVERED VIA E-MAIL)

Case No. 201687708

HASELL CONSTRUCTION COMPANY I
vs.
HASELL, ROYCE

*
*
*
*
*

IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS
61st JUDICIAL DISTRICT

ORDER SETTING STATUS CONFERENCE

To All Counsel and Pro Se Parties:

Pursuant to Rule 166, Texas Rules of Civil Procedure, you are ordered to appear at a Status Conference in the courtroom on 01-17-2019 at 10:30 AM.

If the attorney in charge does not attend, an attorney with authority to bind the client should appear. Be prepared to discuss all aspects of case, including but not limited to the following:

Service and addition of parties;

Discovery completed, discovery remaining, discovery issues or disputes;

Settlement and ADR;

Dispositive motions, pleas, special appearances, abatements, pending motions;

Any issue that may impact preparation or trial, such as health problems, vacations, or religious holidays of counsel, witnesses and parties;

Other issues such as companion cases, bankruptcy or receiverships.

If you do not appear, the court will sign an order of **DISMISSAL FOR WANT OF PROSECUTION** or other appropriate order.

If you have any questions regarding this notice, please contact the court Coordinator, DARLA COONS at (832) 927-2626.

|||||
BOGDAN RENTEA
700 LAVACA ST SUITE 1400-2678
AUSTIN TX 78701-3101

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT
GENERATED ON: 08/14/2018

16781000

Case No. 201687708

HASELL CONSTRUCTION COMPANY I
vs.
HASELL, ROYCE

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*
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IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS
61st JUDICIAL DISTRICT

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If you have any questions regarding this notice, please contact the court Coordinator, DARLA COONS at (832) 927-2626.

|||||
SILVIA T. HASELL
12512 CUTTEN RD STE A
HOUSTON TX 77066-1822

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT
GENERATED ON: 08/14/2018

9205200

Case No. 201687708

HASSELL CONSTRUCTION COMPANY I
vs.
HASSELL, ROYCE

*
*
*
*
*

IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS
61st JUDICIAL DISTRICT

ORDER SETTING STATUS CONFERENCE

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Settlement and ADR;

Dispositive motions, pleas, special appearances, abatements, pending motions;

Any issue that may impact preparation or trial, such as health problems, vacations, or religious holidays of counsel, witnesses and parties;

Other issues such as companion cases, bankruptcy or receiverships.

If you do not appear, the court will sign an order of **DISMISSAL FOR WANT OF PROSECUTION** or other appropriate order.

If you have any questions regarding this notice, please contact the court Coordinator, DARLA COONS at (832) 927-2626.

DERRICK BRYAN CARSON
600 TRAVIS ST STE 2800
HOUSTON TX 77002-2914

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT
GENERATED ON: 08/14/2018

24001847

CAUSE NO. 2016-87708

HASSELL CONSTRUCTION COMPANY, INC.,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
ROYCE HASSELL and SILVIA HASSELL	§	
	§	
<i>Defendants.</i>	§	113TH JUDICIAL DISTRICT

**PLAINTIFFS' UNOPPOSED MOTION
FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

Defendants Royce Hassell and Silvia Hassell file this Unopposed Motion For Withdrawal and Substitution of Counsel and request the Court to allow current counsel to withdrawal from the above-captioned cause and related causes, and detailed below.

Defendants are currently represented by Derrick B. Carson and Deanna Markowitz Willson of Locke Lord LLP ("Locke Lord"). Silvia T. Hassell has been, for some time, counsel for Defendants in this matter. She was counsel prior to the appearance made by Locke Lord and remained counsel during Locke Lord's representation of Plaintiffs.

Defendants request that Mr. Carson, Ms. Willson, and the law firm of Locke Lord be withdrawn as counsel of record in this lawsuit and Ms. Hassell be named as attorney-in-charge.

Defendants further request that Ms. Silvia Hassell be designated as Defendants' attorneys of record. Contact information for Ms. Hassell is included in the signature block below.

This motion is unopposed.

Respectfully submitted,

LOCKE LORD LLP

By: /s/Derrick B. Carson
Derrick B. Carson
Texas State Bar No. 24001847
dcarson@lockelord.com
Jonathan Pelayo
Texas State Bar No. 24060402
jpelayo@lockelord.com
Christian Perez
Texas State Bar No. 24098243
cperez@lockelord.com
600 Travis Street, Suite 2800
Houston, Texas 77002
713-226-1200 - Telephone
713-223-3717 - Facsimile

ATTORNEYS FOR DEFENDANTS

By: /s/
Leonard H. Simon
Texas State Bar No. 18387400
Pendergraft & Simon
lsimon@pendergrachtsimon.com
2929 Allen Parkway, Suite 200
Houston, Texas 77019
713-737-8207 - Telephone
832-202-2810 - Facsimile

Silvia T. Hassell
Texas State Bar No. 09205200
seahassell@aol.com
12807 Haynes Rd., Bldg. C
Houston, Texas 77006
713-665-2442 - Telephone
713-665-0369 - Facsimile

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

On the morning on August 21, 2018, Derrick Carson conferred with opposing counsel, Bogdan Rentea, concerning the substance of this motion. Mr. Rentea stated that he does not oppose this motion.

/s/ Derrick Carson
Derrick Carson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filing was served upon all counsel of record pursuant to the Texas Rules of Civil Procedure on this the 21st day of August 2018.

/s/ Derrick Carson
Derrick Carson

CAUSE No. 2016-87708

HASSELL CONSTRUCTION COMPANY, INC.,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
ROYCE HASSELL and	§	
SILVIA HASSELL	§	
	§	
<i>Defendants.</i>	§	113TH JUDICIAL DISTRICT

**ORDER ON PLAINTIFFS' UNOPPOSED MOTION
FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

CAME TO BE CONSIDERED, Defendants Royce Hassell and Silvia Hassell (collectively, "Defendants") Unopposed Motion For Withdrawal and Substitution of Counsel. Upon reviewing the motion, the Court is of the opinion that the motion should be GRANTED.

It is therefore ORDERED that Ms. Silvia Hassell be substituted as attorney-in-charge for Defendants Royce Hassell and Silvia Hassell in this case.

IT IS FURTHER ORDERED Derrick B. Carson and Deanna Markowitz Willson of Locke Lord LLP are no longer counsel of record in this case and are excused from any further responsibilities in this matter.

Signed this ____ day of _____ 2018.

JUDGE PRESIDING

FILE COPY

Order filed, August 16, 2018.



"CO"

In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00709-CV

ROYCE HASSELL, Appellant

V.

HASSELL CONSTRUCTION CO., INC. ET AL, Appellee

FILED

Chris Daniel
District Clerk

AUG 16 2018

Time: 8:00 AM
By: Jennifer Hillman
Harris County, Texas
Deputy

On Appeal from the 61st District Court
Harris County, Texas
Trial Court Case 2016-87708

ORDER

The reporter's record in this case was due 08/13/2018. *See* Tex. R. App. P. 35.1. The court has not received a request to extend time for filing the record. The record has not been filed with the court. Because the reporter's record has not been filed timely, we issue the following order.

We order, the official (or substitute) court reporter, to file the record in this appeal, if any, **within 10 days** of the date of this order.

PER CURIAM

FILE COPY

FILED

Chris Daniel
District Clerk

AUG 16 2018

Time:

8:00 AM

Harris County, Texas

By *Jennifer Hallmark*
Deputy



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

RE: Case No. 01-18-00709-CV

Style: Royce Hassell
v. Hassell Construction Co., Inc. et al

The clerk's record in this appeal has not been timely filed with this court. The court requests that the record be filed within 10 days of the date of this letter. If the record is not filed by that date, I will refer the matter to the court. If you are unable to file the record by that date, you should request an extension for the court to consider. If the appellant has not made arrangements for paying for the record, please advise the court in writing. See Tex. R. App. P. 35.3(a)(2) and (b)(3).

T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

The Honorable Harris County District Clerk's Office -
Civil
Harris County District Clerk - Civil
201 Caroline, Ste 420
Houston, TX 77002
DELIVERED VIA E-MAIL



FIRST COURT OF APPEALS
301 Fannin Street
Houston, Texas 77002-2066

Thursday, August 16, 2018

RE: Case No. 01-18-00709-CV

Style: Royce Hassell
v. Hassell Construction Co., Inc. et al

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T. C. Case # 2016-87708

Christopher A. Prine, Clerk of the Court

The Honorable Harris County District Clerk's Office -
Civil
Harris County District Clerk - Civil
201 Caroline, Ste 420
Houston, TX 77002 **DELIVERED VIA E-MAIL**

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

CAUSE No. 2016-87708

HASSELL CONSTRUCTION COMPANY, §	IN THE DISTRICT COURT OF
INC., §	
§	
<i>Plaintiff,</i> §	
§	
v. §	HARRIS COUNTY, TEXAS
§	
ROYCE HASSELL and §	
SILVIA HASSELL §	
§	
<i>Defendants.</i> §	61st JUDICIAL DISTRICT

NOTICE OF SUBMISSION

Defendants Royce Hassell and Silvia Hassell Unopposed Motion For Withdrawal and Substitution of Counsel has been set for submission on **Monday, September 10, 2018 at 8:00 a.m.** in the 61st Judicial District Court of Harris County, Texas.

Respectfully submitted,

LOCKE LORD LLPBy: /s/Derrick B. Carson

Derrick B. Carson

Texas State Bar No. 24001847

dcarson@lockelord.com

Jonathan Pelayo

Texas State Bar No. 24060402

jpelayo@lockelord.com

Christian Perez

Texas State Bar No. 24098243

cperez@lockelord.com

600 Travis Street, Suite 2800

Houston, Texas 77002

713-226-1200 - Telephone

713-223-3717 - Facsimile

ATTORNEYS FOR DEFENDANTSBy: /s/

Leonard H. Simon
Texas State Bar No. 18387400
Pendergraft & Simon
lsimon@pendergrafftsimon.com
2929 Allen Parkway, Suite 200
Houston, Texas 77019
713-737-8207 - Telephone
832-202-2810 - Facsimile

Silvia T. Hassell
Texas State Bar No. 09205200
seahassell@aol.com
12807 Haynes Rd., Bldg. C
Houston, Texas 77006 713-
665-2442 - Telephone 713-
665-0369 - Facsimile

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filing was served upon all counsel of record pursuant to the Texas Rules of Civil Procedure on this the 23rd day of August 2018.

/s/ Derrick Carson
Derrick Carson

P2

"CO"



COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON

CORRECTED NOTICE REGARDING DOCUMENTS FILED IN CASE
STAYED FOR BANKRUPTCY

FILED
Chris Daniel
District Clerk
8-23-18
AUG 23 2018
Time: 8:00 AM
Harris County, Texas
By: [Signature] Deputy

Appellate case name: Royce Hassell v. Hassell Construction Co., Inc., et al.

Appellate case number: 01-18-00709-CV

Trial court case number: 2016-87708

Trial court: 61st District Court of Harris County

This appeal is stayed pursuant to the "Amended Notice of Bankruptcy Pursuant to TRAP Rule 8" that appellant, Royce Hassell, filed in this Court on August 10, 2018. The Amended Notice states that (1) on June 30, 2018, appellant-owned The R. Hassell Holding Companies, Inc. ("RHHC") filed a chapter 11 petition for relief, assigned to Case No. 18-33541, in the United States Bankruptcy Court for the Southern District of Texas; (2) on July 2, 2018, R. Hassell & Co., Inc. ("RHC"), owned by RHHC, filed a chapter 11 petition for relief, assigned to Case No. 18-33608, in the United States Bankruptcy Court for the Southern District of Texas; (3) on July 2, 2018, R. Hassell Builders, Inc. ("RHB"), owned by RHHC, filed a chapter 11 petition for relief, assigned to Case No. 18-33619, in the United States Bankruptcy Court for the Southern District of Texas; and (4) RHC, RHB, and RHHC are general partners in the Hassell 2012 Joint Venture, a Texas general partnership, against which an involuntary bankruptcy petition was filed on March 8, 2018, by one appellee, Phillip Hassell, which was assigned to Case No. 18-31189, in the United States Bankruptcy Court for the Southern District of Texas. See 11 U.S.C. § 362(a) (automatic stay in bankruptcy).

Until the parties notify the Court that the bankruptcies have concluded and move to reinstate this appeal, the Court will take no further action on this appeal other than to receive and hold any documents tendered during the period of suspension. See TEX. R. APP. P. 8.2 (providing bankruptcy suspends "the appeal" from date bankruptcy petition was filed until court reinstates or severs appeal in accordance with federal law).

Unless a party successfully moves to reinstate the appeal or sever the appeal with respect to the bankrupt party, this appeal will be an inactive case on the Court's docket. *See* TEX. R. APP. P. 8.3.

Clerk's signature:  _____

Date: August 23, 2018

CAUSE No. 2016-87708

HASSELL CONSTRUCTION COMPANY, INC.,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
ROYCE HASSELL and	§	
SILVIA HASSELL	§	
	§	
<i>Defendants.</i>	§	113TH JUDICIAL DISTRICT

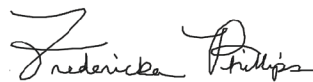
**ORDER ON PLAINTIFFS' UNOPPOSED MOTION
FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

CAME TO BE CONSIDERED, Defendants Royce Hassell and Silvia Hassell (collectively, "Defendants") Unopposed Motion For Withdrawal and Substitution of Counsel. Upon reviewing the motion, the Court is of the opinion that the motion should be GRANTED.

It is therefore ORDERED that Ms. Silvia Hassell be substituted as attorney-in-charge for Defendants Royce Hassell and Silvia Hassell in this case.

IT IS FURTHER ORDERED Derrick B. Carson and Deanna Markowitz Willson of Locke Lord LLP are no longer counsel of record in this case and are excused from any further responsibilities in this matter.

Signed:
8/27/2018



JUDGE PRESIDING

FREDERICKA PHILLIPS
Judge, 61ST Judicial District of Texas
Houston, Texas

01/18/2019

A STATUS CONFERENCE HAS BEEN RE-SCHEDULED IN THE BELOW LISTED CASE ON THURSDAY MARCH 21, 2019 AT 10:30 A.M. IN THE COURTROOM OF THE 61ST CIVIL DISTRICT COURT.

SHOULD YOU HAVE ANY QUESTIONS, PHONE THE TRIAL COORDINATOR, Chanda Williams AT 832-927-2626.

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE



16781000

BOGDAN RENTEA
700 LAVACA ST SUITE 1400-2678
AUSTIN TX 78701-3101

FREDERICKA PHILLIPS
Judge, 61ST Judicial District of Texas
Houston, Texas

01/18/2019

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Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE



9205200

SILVIA T. HASSELL
12512 CUTTEN RD STE A
HOUSTON TX 77066-1822

RENTEA & ASSOCIATES

Attorneys At Law

700 Lavaca, Suite 1400-2678
Austin, Texas 78701

Tel. (512) 472-6291
Fax (512) 472-6278
Email: brentea@rentelaw.com

Bogdan Rentea*

**Board Certified Administrative Law
Texas Board of Legal Specialization*

January 21, 2019

Via Electronic-Filing

Chris Daniel, District Clerk
Harris County Courthouse
P.O. Box 4651
Houston, Texas 77210

Re Cause No. 2016-87708; Hassell Construction Company, Inc.
v. Royce Hassell and Silvia Hassell;
113th Judicial District Court of Harris County, Texas

Dear Clerk:

Please be advised that the following is my vacation schedule for 2019:

April 8-12, 2019
July 1-12, 2019
October 1-11, 2019

I respectfully request that no hearings, trials, pre-trials, arbitrations, mediations, or the like be scheduled in any cases pending in your courts, and that counsel not set any matters for deposition, inspections, and like matters requiring my presence.

Please file this document in the Court's file for the above-referenced cause. This vacation letter has been copied to all counsel of record via *e-file*.

Sincerely,

/s/ Bogdan Rentea

Bogdan Rentea

BR/ch

cc: All Counsel of Record via e-file

FREDERICKA PHILLIPS

Judge, 61ST Judicial District of Texas
Houston, Texas

01/18/2019

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FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE

9205200

SILVIA T. HASSELL

SILVIA T. HASSELL
12807 Haynes Rd, Bldg C.
Houston TX 77006 3

3

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging.

JCVG01
Rev.12042014

Bogdan Rentea
State Bar No. 16781000
700 Lavaca, Suite 1400
Austin, Texas 78701

Tel: (512) 472-6291
Fax: (512) 472-6278
brentealaw.com
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that on the 20th day of March, 2019, a true and correct copy of the foregoing *Suggestion of Bankruptcy and Status Report* was served on all parties of record through their counsel of record via the Court's e-file system.

p-2

2016-87708

U.S. POSTAGE >> PITNEY BOWES
ZIP 77002 \$ 000.50⁰
024W
0000341191 FEB 15 2019



FILED

Marilyn Burgess
District Clerk

03-21-19

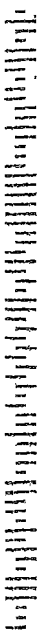
MAR 21 2019

Time: 9:46 am
By: *[Signature]*
Harris County, Texas
Deputy

NIXIE 773 DE 1300 0003/01/19

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

BC: 77002190199 *2288-03403-15-47



77002>N501

CHANDA T. WILLIAMS
CIVIL DISTRICT COURT COORDINATORS
201 CAROLINE ROOM 844
HOUSTON, TEXAS 77002

FREDERICKA PHILLIPS
Judge, 61ST Judicial District of Texas
Houston, Texas

01/18/2019

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SHOULD YOU HAVE ANY QUESTIONS, PHONE THE TRIAL COORDINATOR, Chanda Williams AT 832-927-2626.

*Pls have your
address updated
w/ the District
Clerk's office*

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE

|||||

9205200

SILVIA T. HASSELL

*12807 Haynes Rd, Bldg C.
Houston TX 77006*

3

FREDERICKA PHILLIPS
Judge, 61ST Judicial District of Texas
Houston, Texas

04/02/2019

COUNSEL:

YOU ARE RECEIVING THIS NOTICE BECAUSE OF YOUR ABSENCE AT THE LAST
STATUS CONFERENCE SCHEDULED ON MARCH 21, 2019.

PLEASE BE ADVISED THAT YOUR CASE IS SCHEDULED TO BE DWOP'D
ON APRIL 11, 2019@10am.

Chanda Williams
832-927-2626

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE



16781000

BOGDAN RENTEA
700 LAVACA ST SUITE 1400-2678
AUSTIN TX 78701-3101

FREDERICKA PHILLIPS
Judge, 61ST Judicial District of Texas
Houston, Texas

04/02/2019

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832-927-2626

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE



9205200

SILVIA T. HASSELL
12512 CUTTEN RD STE A
HOUSTON TX 77066-1822

FREDERICKA PHILLIPS
Judge, 61ST Judicial District of Texas
Houston, Texas

04/02/2019

FILED
Marilyn Burgess
District Clerk
APR 26 2019
Time: 4:00pm
By YSE
Harris County, Texas
Deputy 4.26.19

COUNSEL:

YOU ARE RECEIVING THIS NOTICE BECAUSE OF YOUR ABSENCE AT THE LAST
STATUS CONFERENCE SCHEDULED ON MARCH 21, 2019.

PLEASE BE ADVISED THAT YOUR CASE IS SCHEDULED TO BE DWOP'D
ON APRIL 11, 2019 @ 10am.

Chanda Williams
832-927-2626

FREDERICKA PHILLIPS
Judge, 61ST DISTRICT COURT

CASE - 201687708 FILED - 20161222 COURT - 61st
TYPE - OTHER CIVIL
HASSELL CONSTRUCTION VS HASSELL, ROYCE



SILVIA T. HASSELL

W
5302 Maple St.
Bellaire TX 77401

9205200

3

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

JCVG01
Rev.12042014